

COMMUNITY REINVESTMENT AGENCIES REVISIONS

2018 GENERAL SESSION

STATE OF UTAH

LONG TITLE**General Description:**

This bill amends provisions in Title 17C, Limited Purpose Local Government Entities - Community Reinvestment Agency Act.

Highlighted Provisions:

This bill:

- ▶ authorizes a public entity to dispose of or lease the public entity's property to an agency for less than fair market value; and
- ▶ makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

17C-1-207, as last amended by Laws of Utah 2016, Chapter 350

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **17C-1-207** is amended to read:

17C-1-207. Public entities may assist with project area development.

(1) In order to assist and cooperate in the planning, undertaking, construction, or operation of project area development within an area in which the public entity is authorized to act, a public entity may:

(a) (i) provide or cause to be furnished:

(A) parks, playgrounds, or other recreational facilities;

(B) community, educational, water, sewer, or drainage facilities; or

(C) any other works which the public entity is otherwise empowered to undertake;

(ii) provide, furnish, dedicate, close, vacate, pave, install, grade, regrade, plan, or

33 replan streets, roads, roadways, alleys, sidewalks, or other places;

34 (iii) in any part of the project area:

35 (A) (I) plan or replan any property within the project area;

36 (II) plat or replat any property within the project area;

37 (III) vacate a plat;

38 (IV) amend a plat; or

39 (V) zone or rezone any property within the project area; and

40 (B) make any legal exceptions from building regulations and ordinances;

41 (iv) purchase or legally invest in any of the bonds of an agency and exercise all of the
42 rights of any holder of the bonds;

43 (v) notwithstanding any law to the contrary, enter into an agreement for any period of
44 time with another public entity concerning action to be taken pursuant to any of the powers
45 granted in this title;

46 (vi) do anything necessary to aid or cooperate in the planning or implementation of the
47 project area development;

48 (vii) in connection with the project area plan, become obligated to the extent
49 authorized and funds have been made available to make required improvements or construct
50 required structures; and

51 (viii) lend, grant, or contribute funds to an agency for project area development or
52 proposed project area development, including assigning revenue or taxes in support of an
53 agency bond or obligation; and

54 (b) ~~[15 days after posting public notice]~~ for less than fair market value or for no
55 consideration, and subject to Subsection (2):

56 (i) purchase or otherwise acquire property ~~[or]~~ from an agency;

57 (ii) lease property from [the] an agency; [or]

58 ~~[(iii)]~~ (iii) sell, grant, convey, donate, or otherwise dispose of the public entity's
59 property to an agency; or

60 (iv) lease the public entity's property to [the] an agency.

61 ~~[(2) Notwithstanding any law to the contrary, an agreement under Subsection (1)(a)(v)~~
62 ~~may extend over any period.]~~

63 ~~[(3) A grant or contribution of funds from a public entity to an agency, or from an~~

64 agency under a project area plan or project area budget, is not subject to the requirements of
65 ~~Section 10-8-2.~~]

66 (2) A public entity may provide project area development assistance described in
67 Subsection (1)(b) no sooner than 15 days after the day on which the public entity posts notice
68 of the assistance:

69 (a) on the Utah Public Notice Website described in Section 63F-1-701; and

70 (b) (i) on the public entity's public website; or

71 (ii) if the public entity does not have a public website, in a newspaper of general
72 circulation within the county in which the project area for which the entity provides the
73 assistance is located.

74 (3) A public entity that provides project area development assistance under this section
75 is not subject to Section 10-8-2 or 17-50-312.

Legislative Review Note
Office of Legislative Research and General Counsel